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EXAMINER

WOLLSCHLAGER, JEFFREY MICHAEL

ART UNIT PAPER NUMBER

1732

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/749,157	Applicant(s) JAGGI, GURJEET K.	
	Examiner Jeff Wollschlager	Art Unit 1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on August 11, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-19 is/are pending in the application.
- 4a) Of the above claim(s) 9-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendment to the claims filed August 11, 2006 has been entered. Claim 1 is currently amended. Claim 3 was previously cancelled. Claims 9-19 were previously withdrawn and should be cancelled in order to advance prosecution. Claims 1, 2 and 4-8 are under examination.

Claim Objections

Claims 1 and 6 are objected to for the following informalities: In claim 1, the recitation "form a interior trim panel" would be more properly rendered "form an interior trim panel assembly". In claim 1, the recitation "into said corresponding recess" would be more properly rendered "into a corresponding one of said plurality of recesses" or "into a corresponding recess". Appropriate correction of the recitation, "said corresponding recess" in claim 6 is also required, in accord with the selected change to the recitation in claim 1.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Morrison et al. (U.S. Patent 5,824,251; issued October 20, 1998).

Regarding claim 1, Morrison et al. teach a method for forming plastic molded panels with inserts useful as automotive interior trim panels comprising (abstract): placing at least one insert/trim panel component having a finished surface which is visible from the interior of a vehicle into a mold cavity (Figure 6; col. 3, lines 21-49). wherein the mold cavity includes a pair of die halves cooperating to define a mold cavity and where at least one of the die halves includes a surface within the cavity defining a class A surface and one of the die halves including a plurality of recesses (Figure 6, elements (16), (17), (19); Figure 5, elements (12) and (18); Figure 1, elements (11), (12), (15)). Morrison closes the die halves and injects/pours thermoplastic material into the mold cavity so as to substantially surround the insert/trim panel component to form a rigid substrate having a class A side surface (Figure 6; col. 3, lines 26-49; Figure 1, elements (11), (12) (15); where necessarily the injection pressure is less than the maximum clamp pressure of the die. The molten thermoplastic bonds to the contact surface of the insert/trim panel component while the rigid substrate is formed thereby

forming a vehicle interior trim panel assembly having at least one integrated insert/component (Figure 5; Figure 1, elements (11), (12), (15)) (col. 1, lines 15-18 and 65-66; col. 2, lines 5-23).

Alternatively, it would have been *prima facie* obvious to one having ordinary skill in the art at the time of the claimed invention to inject the elastomer or self-skinning polyurethane taught by Morrison et al. (col. 3, lines 45-48) instead of pouring the material into the mold, because Morrison et al. identifies pouring and injecting as being equivalent methods for providing plastic into a mold (Abstract). Further, it would have been obvious to one having ordinary skill to control the injection pressure to a pressure less than the clamp pressure of the die to ensure the die does not open or is damaged during the injection process as is conventional in the art.

As to claim 2, the molten plastic material employed by Morrison et al. is at least partially cured necessarily to form a finished interior panel. Morrison et al. form a finished molded interior panel having at least one insert/trim panel component bonded thereto and remove the assembly from the mold cavity (Abstract; col. 1, lines 60 – col. 2, line 23; Figure 1).

As to claim 4, the dies are closed so as to permit the contact area of the insert to operatively engage the molten thermoplastic material in Morrison et al.'s method (Figures 1, 5, and 6; col. 3, lines 45-49).

As to claim 6, Morrison et al. place an insert/trim panel component having at least one surface visible to a vehicle interior into said corresponding recess within said

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mold cavity and matches the visible surface of the trim panel component to the A-surface of the mold cavity (col. 3, liens 26-32; Figure 1; Figure 6).

As to claim 8, the visible surface of the insert and the A-side surface formed by the thermoplastic bond along a substantially similar plane to provide a compact bond line reveal (Figure 1, elements (11), (12) and (15)).

Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fujii et al. (U.S. Patent 6,004,498; issued December 21, 1999).

Regarding claim 1, Fujii et al. teach a method of manufacturing a trim panel component such as an instrument panel or door trim for the interior of a vehicle having integrated components/elastic sheets comprising: providing a die including a pair of die halves cooperating to define a mold cavity with a class-A surface and a plurality of recesses; placing a preformed elastic sheet/component having a class-A surface visible from the interior of the vehicle and a contact surface within said mold cavity; closing said die halves; injecting a molten thermoplastic material into the cavity so as to substantially surround the component and form a rigid substrate where the injection pressure is necessarily less than the maximum clamp pressure of the die. The thermoplastic material bonds to the contact surface within the mold cavity while the substrate is formed, thereby forming a interior trim panel assembly having at least one integrated component (Abstract; col. 4, line 57 – col. 5, line 60; col. 9, lines 5-42 and 61-67; col. 10, lines 62-64; col. 11, line 44-col. 12, line 16; col. 13, line 7-24 and 40-44).

Alternatively, it would have been *prima facie* obvious to one having ordinary skill in the art at the time of the claimed invention to control the injection pressure to a pressure less than the clamp pressure of the die to ensure the die does not open or is damaged during the injection process as is conventional in the art.

As to claim 2, the molten plastic material employed by Fujii et al. is at least partially cured necessarily to form a finished interior panel. Fujii et al. form a finished molded interior panel having at least one elastic preform/trim panel component bonded thereto and remove the assembly from the mold cavity.

As to claim 4, the dies are closed so as to permit the contact area of the insert to operatively engage the molten thermoplastic material (col. 4, lines 57-67; col. 9, lines 5-41)

As to claim 6, Fujii et al. place an elastic preform/trim panel component having at least one surface visible to a vehicle interior into said corresponding recess within said mold cavity and matches the visible surface of the trim panel component to the A-surface of the mold cavity (col. 5, lines 6-20 and 51-60)

As to claim 8, the visible surface of the insert and the A-side surface formed by the thermoplastic bond along a substantially similar plane to provide a compact bond line reveal (Figure 22, edges of elements (122) (123)).

Allowable Subject Matter

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1-8, specifically claims 1, 2, and 4-8, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Claims 1, 2, 4-6 and 8 are rejected. Claim 7 is objected to.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Wollschlager
Examiner
Art Unit 1732

CHRISTINA JOHNSON
SUPERVISORY PATENT EXAMINER

October 25, 2006